

The Odisha Gazette

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

No. 537 CUTTACK, FRIDAY, APRIL 10, 2015/CHAITRA 20, 1937

[No. 3543—PCR-26/2013-SSD.]

GOVERNMENT OF ODISHA

S.T. & S.C. DEVELOPMENT DEPARTMENT

RESOLUTION

The 11th February 2015

Payment of Monetary Relief to the Victims of Atrocities on members of the Scheduled Castes & Scheduled Tribes and their family members has so far been regulated as per the Resolution No. 402—PCR.-93/2003-SSD., dated the 7th January 2004 & No. 4—PCR.-2012-SSD., dated the 28th June 2012 in terms of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) (Amendment) Rules, 2011 respectively.

(i) Consequent upon enactment of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) (Amendment) Rules, 2014 vide Gazette Notification, dated the 23rd June 2014, published in Gazette of India vide G. S. R. No. 416 (E), dated the 23rd June 2014, the enhanced scale of relief has been prescribed.

(ii) Now, Government after careful consideration have been pleased to adopt the said enhanced scale of relief for the Victims of Atrocities belonging to Scheduled Castes & Scheduled Tribes as per norms and scale prescribed in the schedule annexed to the said amendment rules.

(iii) This will effect from the 23rd June 2014 i. e. Gazette Notification No. 331, dated the 23rd June 2014 published in Gazette of India.

(iv) The details norms for relief amount are furnished hereunder.

NORMS FOR RELIEF AMOUNT

Sl. No.	Name of the Offences	Revised norms of amount of relief to the Victims of Atrocities after S.Cs. & S.Ts. (POA) (Amendment) Rules, 2014
(1)	(2)	(3)
1	Drink or eat inedible or obnoxious substance {Section 3(1)(i)}.	Ninety thousand rupees or more depending upon the nature and gravity of the offence to each victim and also commensurate with indignity, insult, injury and defamation suffered by the victim.
2	Causing injury, insult or annoyance {Section 3(1)(ii)}.	Payment to be made as follows :
3	Derogatory act {Section 3(1)(iii)}	(i) 25% when the charge sheet is sent to the Court. (ii) 75% when accused are convicted by the lower Court.
4	Wrongful occupation or cultivation of land etc. {Section 3(1)(iv)}.	At least ninety thousand rupees or more depending upon the nature and gravity of the offence. The land/premises/water supply shall be restored where necessary at Government cost, full payment to be made when charge sheet is sent to the Court.
5	Relating to land, premises and water {Section 3(1)(v)}.	
6	Beggar or forced or bonded labor {Section 3(1)(vi)}.	At least ninety thousand rupees to each victim. Payment of 25% at FIR stage and 75% on conviction in the lower Court.
7	Relating to right to franchise {Section 3(1)(vii)}.	Up to seventy thousand rupees to each victim depending upon the nature and gravity of the offence.
8	False, malicious or vexatious legal proceedings {Section 3(1)(viii)}.	Ninety thousand rupees or reimbursement of actual legal expenses and damages or whichever is less after conclusion of the trial of the accused.
9	False and frivolous information {Section 3(1)(ix)}.	
10	Insult, intimidation and humiliation {Section 3(1)(x)}.	Up to ninety thousand rupees to each victim depending upon the nature of the offence. Payment of 25% when charge sheet is sent to the Court and rest on conviction.
11	Outraging the modesty of a woman {Section 3(1)(xi)}.	One lakh eighty thousand rupees to each victim of the offence. 50% of the amount may be paid after medical examination and remaining 50% at the conclusion of the trial.
12	Sexual exploitation of woman {Section 3(1)(xii)}.	
13	Fouling of water {Section 3(1)(xiii)}	Up to three lakhs seventy thousand rupees or full cost of restoration of normal facility, including cleaning when the water is fouled. Payment may be made at the stage as deemed fit by the District Administration.
14	Denial of customary rights of passage {Section 3(1)(xiv)}.	Up to three lakhs seventy-five thousand rupees or full cost of restoration of right of passage and full compensation of the loss suffered, if any payment of 50% when charge sheet is sent to the Court and 50% on conviction in lower Court.
15	Making one desert place of residence {Section 3(1)(xv)}.	Restoration of the site/right to stay and compensation of ninety thousand rupees to each victim and reconstruction of the house at Government cost, if destroyed. To be paid in full when charge sheet is sent to the lower Court.

(1)	(2)	(3)
16	Giving false evidence {Section 3(2)(i) and (ii)}.	At least three lakhs seventy-five thousand rupees or full compensation of the loss or harm sustained. 50% to be paid when charge sheet is sent to Court and 50% on conviction by the lower Court.
17	Committing offences under the Indian Penal Code punishable with imprisonment for a term of 10 years or more {Section 3(2)}.	At least one lakh eighty thousand rupees depending upon the nature and gravity of the offence to each victim and or his dependents. The amount would vary if specifically otherwise provided in the schedule.
18	Victimization at the hands of a public servant {Section 3(2)(vii)}.	Same as the compensation payable, if the accused was not a public servant.
19	<p>Disability :</p> <p>The definition of disabilities shall be as given in Section 2 of the persons with disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and guidelines for their assessment shall be as contained in the Ministry of Social Justice & Empowerment, GOI.</p> <p>Notification No. 154, dated the 1st June 2001, as amended from time to time. A copy of the Notification is at Annexure II to the Schedule :</p> <p>(a) 100% incapacitation :—</p>	<p>(i) Non-earning member of a family At least three lakhs seventy-five thousand rupees to each victim of offence. 50% on FIR and 25% at charge sheet and 25% on conviction by the lower Court.</p> <p>(ii) Earning member of a family At least seven lakhs fifty thousand rupees to each victim of offence. 50% to be paid on FIR/medical examination stage, 25% when charge sheet sent to the Court and 25% at conviction in lower Court.</p> <p>(b) Where incapacitation is less than 100%. Provided that an amount of not less than sixty thousand rupees from the amount payable to non-earning member of a family and an amount of not less than one lakh twenty thousand rupees from the amount payable to an earning member of a family may be reduced.</p>
20	<p>Murder/death</p> <p>(a) Non-earning member of a family :</p> <p>(b) Earning member of a family :</p>	<p>At least three lakhs seventy-five thousand rupees to each case.</p> <p>Payment of 75% after postmortem and 25% on conviction by the lower Court.</p> <p>At least seven lakhs fifty thousand rupees to each case. Payment of 75% after postmortem and 25% on conviction by the lower Court.</p>

- | (1) | (2) | (3) |
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| 21 | Victim of murder, death, massacre, rape, mass rape and gang rape, permanent incapacitation and dacoity. | <p>In addition to relief amounts paid under above items, relief may be arranged within three months of date of atrocity as follows :</p> <p>(i) Pension to each widow and/or other dependents of deceased S.C. & S.T. @ four thousand five hundred per month, or employment to one member of the family of the deceased, or provision of agricultural land, a house, if necessary by outright purchase.</p> <p>(ii) Full cost of the education and maintenance of the children of the victims. Children may be admitted to Ashram School/Residential Schools.</p> <p>(iii) Provision of utensils, rice, wheat, dals, pulses etc. for a period of three months.</p> |
| 22 | Complete destruction/burnt houses | Brick/stone masonry house to be constructed or provided at Government cost where it has been burnt or destroyed. |

ORDER— Ordered that the Resolution be published in the *Odisha Gazette* for general information and copies communicated to all Departments of Government/Heads of Department/all Collectors.

By order of the Governor

S. KUMAR

Commissioner-*cum*-Secretary to Government